

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
NORTHERN DIVISION**

JOSEPH MURCHINSON,

Plaintiff,

v.

CORIZON MEDICAL SERVICES, et al.,

Defendants,

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No. 2:14CV102 DDN

**MEMORANDUM AND ORDER**

Before the Court is plaintiff's notice of extension of time to file a motion for appointment of counsel [Doc. #4]. In his motion, plaintiff asserts that he anticipates filing a motion for appointment of counsel after defendants file their response to his complaint. The Court will construe plaintiff's motion as one requesting counsel.

There is no constitutional or statutory right to appointed counsel in civil cases. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8<sup>th</sup> Cir. 1984). In determining whether to appoint counsel, the Court considers several factors, including (1) whether the plaintiff has presented non-frivolous allegations supporting his or her prayer for relief; (2) whether the plaintiff will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the plaintiff's allegations; and (4) whether the factual and legal issues presented by the action are complex. See Johnson v. Williams, 788 F.2d 1319, 1322-23 (8<sup>th</sup> Cir. 1986); Nelson, 728 F.2d at 1005.

After considering these factors, the Court finds that the facts and legal issues involved are not so complicated that the appointment of counsel is warranted at this time. This case involves a straight-forward claim of deliberate indifference to medical needs. Plaintiff has been able to

articulate his claims on his own, and the claims do not appear to be complex or involve excessive legal machinations. As such, plaintiff's request will be denied at this time, without prejudice.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for appointment of counsel [Doc. #4] is **DENIED without prejudice**.

/s/ David D. Noce  
**UNITED STATES MAGISTRATE JUDGE**

Signed on January 12, 2015.